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JASON COLLURA,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	NO. 2:12-cv-4398
	:	
CITY OF PHILADELPHIA, P/O CEDRIC	:	
WHITE, P/O JOSEPH CORVI, P/O	:	
DANIEL DAVIS, P/O MARIA ORTIZ-	:	
RODRIGUEZ, P/O JERROLD BATES, In	:	
Their Individual Capacities, ALLIED	:	
BARTON, DANIEL ROSIELLO, and	:	
DIANE KOLWASKI,	:	
	:	
Defendants.	:	

_____

O R D E R

AND NOW, this 31st day of July, 2013, upon consideration of *pro se* Plaintiff's Motion

to Remand to Court of Common Pleas (Document No. 54, filed March 28, 2013), Defendants'

Brief in Opposition to Plaintiff's Motion to Remand (Document No. 57, filed April 10, 2013),

Plaintiff's Motion to Decline Supplemental Jurisdiction And Remand Under 28 U.S.C. 1367(c) /

And Reply to Brief in Opposition to Remand (Document No. 59, filed April 16, 2013),

Defendant, AlliedBarton Security Services LLC's, Joinder Reply to the City Defendants'[1] Brief

in Opposition to Plaintiff's Motion for Remand (Document No. 60, filed April 17, 2013),

Defendants, AlliedBarton Security Services LLC, Daniel Rosiello and Diane Kowalski's, Motion

to Dismiss Plaintiff's Second Amended Complaint for Failure to State a Claim Upon Which

Relief Can Be Granted (Document No. 62, filed April 18, 2013), City Defendants' Motion to

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[1] City Defendants are City of Philadelphia, Police Officers Cedric White, Joseph Corvi, and
Daniel Davis, Sergeant Maria Ortiz-Rodriguez, and Inspector Jerrold Bates.

Dismiss Plaintiff's Second Amended Complaint (Document No. 63, filed April 18, 2013), Brief of Plaintiff in Opposition to City of Philadelphia's Motion to Dismiss Second Amended Complaint (Document No. 64, filed April 29, 2013), and Brief of Plaintiff in Opposition to Motion to Dismiss Second Amended Complaint by Defendant AlliedBarton (Document No. 65, filed April 29, 2013), for the reasons stated in the attached Memorandum dated July 31, 2013, **IT IS ORDERED** as follows:

      1.   Plaintiff's Motion to Remand to Court of Common Pleas (Document No. 54, filed March 28, 2013) is **DENIED**;

      2.   Plaintiff's Motion to Decline Supplemental Jurisdiction And Remand Under 28 U.S.C. 1367(c) / And Reply to Brief in Opposition to Remand (Document No. 59, filed April 16, 2013) is **DENIED**;

      3.   Defendants, AlliedBarton Security Services LLC, Daniel Rosiello and Diane Kowalski's, Motion to Dismiss Plaintiff's Second Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted (Document No. 62, filed April 18, 2013) is **GRANTED**, and all claims against AlliedBarton Security Services LLC, Daniel Rosiello, and Diane Kowalski are **DISMISSED WITH PREJUDICE**; and

      4.   City Defendants' Motion to Dismiss Plaintiff's Second Amended Complaint (Document No. 63, filed April 18, 2013) is **DENIED IN PART** and **GRANTED IN PART** as follows:

            a. That part of City Defendants' Motion which seeks dismissal of plaintiff's Second Amended Complaint under Federal Rule of Civil Procedure 41(b) is **DENIED**; and

b. That part of City Defendants' Motion which seeks dismissal of all claims against City Defendants except the false arrest and illegal imprisonment claims asserted against Police Officers Cedric White, Joseph Corvi, and Daniel Davis is **GRANTED**, and all such claims are **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that plaintiff and counsel for defendant Police Officers Cedric White, Joseph Corvi, and Daniel Davis shall meet and confer and provide the Court with a Case Management Order pursuant to Federal Rule of Civil Procedure 26(f) on or before August 30, 2013. Failure to comply with this directive will result in consideration by the Court of the imposition of appropriate sanctions under the applicable Federal Rules of Civil Procedure, including dismissal of the case with prejudice.

IT IS FURTHER ORDERED that the caption of the case is amended to delete reference to all defendants excepting Police Officers Cedric White, Joseph Corvi, and Daniel Davis.

BY THE COURT:

/s/ Hon. Jan E. DuBois
JAN E. DuBOIS, J.